

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA AMENDING SANTA BARBARA  
MUNICIPAL CODE SECTION 17.20.005.C PERTAINING  
TO ASSIGNMENT OF SLIP PERMITS FOR TWENTY-  
FOOT SLIPS THROUGH A TWENTY-FOOT SLIP  
LOTTERY

THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 17.20.005 C of Chapter 17.20 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

**17.20.005 Slip Assignment Policy.**

**C. SLIP WAITING LISTS.**

**3. Lottery List.** Any slip that remains unassigned after being offered for assignment to the Master Waiting List and Sub-Master Waiting List, or if the Sub-Master Waiting List is depleted of applicants, shall be offered for assignment to a Lottery List. The Lottery List shall be comprised of applicants selected by lot by the Harbor Commission Chair at a public meeting. Procedures for formation of the Lottery List shall be established by the Waterfront Department Slip Waiting Lists regulation adopted by resolution of the City Council.

**a. Procedure for Placement on the Lottery List.**

(1) Qualification for Placement on the Lottery List. To qualify for placement on the Lottery List, all applicants must timely submit a Lottery List Participation Request in accordance with the Slip Waiting Lists regulation containing the applicant's name, telephone number and address. An individual may submit only one Lottery List Participation Request.

(2) Notification of Ranking and Potential Placement on Lottery List. Within five (5) business days after the Harbor Commission Lottery List drawing, the Waterfront Department shall mail notification to each applicant whose Lottery Participation Request was selected by the Harbor Commission of their ranking and potential placement on the Lottery List. Notification shall be provided by certified mail, return receipt requested, to the applicant at the address shown on the Lottery List Participation Request form. A Lottery List Acceptance Form shall accompany the notification. Applicants not selected for ranking in the Lottery List drawing shall be notified in writing that their Lottery List Participation Request was not selected. The Waterfront Department shall discard the Lottery List Participation Requests not selected.

(3) Procedure to Accept Placement on the Lottery List.

(a) Within thirty (30) days of the date of mailing notification of Lottery List rankings, selected applicants ranked numbers one (1) through fifty (50) shall return the completed Lottery List Acceptance Form and the Lottery List Placement Fee in an amount established by resolution of the City Council to the Waterfront Department. Any such applicant failing to return the Acceptance Form and Lottery List Placement Fee to the Waterfront Department within the required thirty (30) day period shall not have a position on the Lottery List, and their Lottery Participation Request shall be discarded by the Waterfront Department.

(b) Should any applicant ranked numbers one (1) through fifty (50) fail timely return of the Lottery List Acceptance Form and the Lottery List Placement Fee, notification will be sent to the next-ranked applicant for potential

placement on the Lottery List as provided by resolution of City Council. Any such applicant ranked numbers fifty-one (51) through seventy (70) offered potential placement on the Lottery List shall, within fourteen (14) days of the date of such mailing, return the completed Lottery List Acceptance Form and the Lottery List Placement Fee in an amount established by resolution of the City Council to the Waterfront Department. Any such applicant failing to return the Acceptance Form and Lottery List Placement Fee to the Waterfront Department within the required fourteen (14) day period shall not have a position on the Lottery List, and their Lottery Participation Request shall be discarded by the Waterfront Department.

**b. Procedure For Slip Assignment to Lottery List Applicants.** A slip that becomes available for assignment to the Lottery List shall be offered for assignment to applicants on the Lottery List according to their rank on the Lottery List. With the exception of assignments for twenty-foot slips, if a slip assignment offer is declined by all applicants on the Lottery List, the slip shall be held in the Waterfront Department's visitor-slip inventory for a period of six (6) months. After six (6) months, the slip assignment shall be re-offered individually to applicants on the Lottery List in the same order as the slip assignment was initially offered. If the slip remains unassigned after the re-offer, the procedure shall be repeated every six (6) months until the slip assignment offer is accepted. If all applicants on the Lottery List decline a slip assignment offer for a twenty-foot slip, the slip assignment for the twenty-foot slip shall be offered for assignment through a separate twenty-foot lottery pursuant to City Council Resolution.

**c. Procedure for Accepting or Declining a Slip Assignment Offer from the Lottery List.**

(1) Acceptance of Slip Assignment Offer.

(a) Notification of slip availability shall be mailed by the Waterfront Department to the applicant at the applicant's most recent address on file in the Waterfront Department. Acceptance of the slip assignment offer must be submitted by the applicant in writing to the Waterfront Department within fourteen (14) days of the date of mailing the notice of slip availability. Acceptance must be submitted to the Waterfront Department in writing along with payment of a non-refundable Lottery List Assignment Fee as provided in Section C.4.b.(3) herein.

(b) An existing marina slip permittee who is offered a Lottery List slip assignment shall relinquish an existing slip permit to the Waterfront Department prior to, and in exchange for, a slip assignment from the Lottery List.

(2) Declined Lottery List Assignment Offer. Failure of an applicant to accept a slip assignment offer in writing within fourteen (14) days of the date of mailing of such offer by the Waterfront Department and payment of the Lottery List Assignment Fee as provided in Section C.4.b.(3) herein shall be considered a declined offer. Declining a slip assignment offer will not result in removal of the applicant's name from the Lottery List, loss of the applicant's Lottery List Placement Fee, Lottery List Renewal Fee, or change in the applicant's position on the Lottery List.

**d. Lottery List Eligibility.** An applicant whose name is on the Master Slip Waiting List is not eligible for inclusion on the Lottery List.